

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

JONAH M. MEER, AS THE TRUSTEE OF	:	No. 11-cv-6994 (LAK) (MHD)
THE ACTRADE LIQUIDATION TRUST, not	:	
in his individual capacity, ACTRADE	:	<u>ECF Case</u>
LIQUIDATION TRUST, the successor to	:	
ACTRADE FINANCIAL TECHNOLOGIES,	:	<u>Electronically Filed</u>
LTD. and ACTRADE CAPITAL INC.,	:	
ACTRADE INTERNATIONAL CORP.,	:	
ACTRADE FUNDING CORP., ACTRADE	:	
SOUTH AMERICA LTD., ACTRADE	:	
COMMERCE LTD., ACTRADE	:	
RESOURCES, INC. and E-TAD CLEARING	:	
CENTER, INC.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
DELOITTE & TOUCHE LLP,	:	
	:	
Defendant.	:	

----- x

**NOTICE OF MOTION TO STAY THIS ACTION
OR, ALTERNATIVELY, TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that, upon the Complaint in this action; the accompanying Memorandum of Law in Support of Deloitte & Touche LLP's Motion to Stay This Action Or, Alternatively, to Dismiss the Complaint; the Declaration of Jay B. Kasner, dated November 14, 2011, and the exhibits thereto; and all prior papers and pleadings herein, Defendant Deloitte & Touche LLP will move this Court, before the Honorable Lewis A. Kaplan at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an Order (A) staying this action or (B) in the alternative, pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6), dismissing the Complaint with prejudice, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
November 14, 2011

By: /s/ Jay B. Kasner

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Jay B. Kasner
Jeremy A. Berman
Four Times Square
New York, New York 10036-6522
Jay.Kasner@skadden.com
Jeremy.Berman@skadden.com
T: (212) 735-3000
F: (212) 735-2000

Paul J. Lockwood
One Rodney Square
P.O. Box 636
Wilmington, Delaware 19899-0636
Paul.Lockwood@skadden.com
T: (302) 651-3000
F: (302) 651-3001
Admitted Pro Hac Vice

*Attorneys for Defendant
Deloitte & Touche LLP*

TO: BERNSTEIN LIEBHARD LLP
Stanley D. Bernstein
Jeffrey M. Haber
Michelle C. Zolnoski
10 East 40th Street, 22nd Floor
New York, NY 10016

ROSENTHAL, MONHAIT
& GODDESS, P.A.
Jeffrey S. Goddess
919 N. Market Street, Suite 1401
P.O. Box 1070
Wilmington, DE 19899-1070

Attorneys for Plaintiffs